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Federal Communications Commission
Office of the Secretary

Commonwealth of Puerto Rico

DEPARTMENT OF EDUCATION

César A. Rey Hernández, Ph.D.
Secretary

September 27, 2002

Mr. George McDonald
Vice Presidente
USAC
2120 L St. NW Suite 600
Washington, DC 20037

**FCC Secretary: Please
file under CC Docket No. 02-6
Pursuant to DA 03-1731,
a PN released on May 16, 2003**

Dear Mr. McDonald,

We received a letter from you dated December 5, 2001 announcing USAC's decision to withhold further ERate funding for Puerto Rico based on your concerns about our Department's capability to effectively provide the services for which you had been authorizing discounts for years 1, 2 and 3.

To comply with your request, we conducted a set of presentations to a committee composed of you, Mark Seifert, Tom Clines and Charles Walter. These presentations were held on February and April of this year. The last one will be made on next Tuesday October 1st, 2002. Throughout these presentations we have provided USAC:

1. A description of the state of the project when this administration took over on January 2001.
2. The reports of the preliminary findings of the initial assessment of the project that we had been conducting out our own initiative since the summer of 2001.
3. The scope for the project as determined by our administration to validate the concept and performance of the work done by the suppliers.
4. The results of the validation process of summer 2001.

[Handwritten mark]

5. The Recovery Plan designed by PRDOE to make the project viable.
6. Evidence of the outcome of the Recovery Plan on February, April and September 2002.

We have no doubt that we have specifically and properly addressed each and every concern stated in your letter of December 2001, and have fully complied with all of your requests contained therein.

The reports that we have submitted to USAC fully supports our fulfillment of your conditions for the availability of funding for years 4 and 5. The time has come for the approval of further funding. We cannot stay at a perpetual standstill.

More than 660,000 Puerto Rican children should not be penalized by being deprived from one of the very best technology projects available in our country. They have already lost too many opportunities because of the unavailability of the ERate project products. Every year lost means that 50,000 Puerto Ricans graduates from high school without the opportunity of overcome the technology divide. People or entities responsible for past misconduct within this project should continue to be investigated and, if need be, prosecuted. We will continue to provide you with the results of our own findings.

I am requesting the immediate availability of funding for years 4 and 5 in order to complete the recovery of this most important project in order to provide our people on an equal opportunity basis the educational and technological skills necessary to close the technology divide within our country. I will personally make the presentation to be held next Tuesday, October 1st, 2002 and the request for funds availability will be the primary point of our Agenda.

Thank you for the opportunity to present to USAC the results of our efforts to recover this project. We are ready to move forward and hope that so will be USAC.

Sincerely,



César A. Rey Hernández, Ph.D.
Secretary

BUFETE BENNAZAR, CSP

ABOGADOS Y NOTARIOS

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Asesores

Edward M. Borges
María del C. Vázquez
Re A. Becker Whitaker

FAX TRANSMITTAL SHEET

Date: January 22, 2003

Sent to: Mr. Louis Peraertz, Esq.

Client: Departamento de Educación

Telephone No.: _____

From: A. J. Bennazar Zequeira

Subject: P. R. Department of Education

Our file number: 7-2692

Fax No.: (202) 418-2822

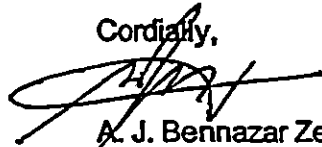
Number of pages including this one: 4

Message:

Dear Louis: This will confirm that Dr. Carmen Collazo, Prof. Amaldo Ramos and the undersigned will be meeting with General Counsel Mago, and hopefully Atty. Mark Seifert and yourself next Thursday, January 23, at your offices at 2:15 P.M.

Enclosed please find copy of my memorandum of today to Mr. George McDonald of USAC, and copy of Secretary César Rey's letter to him of September 27, 2002 which we discussed with General Counsel Mago during our visit to your offices on October 1. We will be looking forward to the FCC's position regarding our request.

Cordially,



A. J. Bennazar Zequeira

cc: The Honorable César Rey
Mr. George McDonald
Dr. Carmen Collazo
Prof. Amaldo Ramos
Dr. Irma Alicia Rodríguez

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